

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS STOUT,

Plaintiff,

v.

Case number 06-14155

Honorable Julian Abele Cook, Jr.

FORD MOTOR COMPANY,

Defendant.

ORDER

The present controversy arises from allegations by the Plaintiff, Thomas Stout (“Stout”), against the Defendant, Ford Motor Company (“Ford”), claiming age discrimination and retaliation in violation of 29 U.S.C.A. §621, *et seq*, Age Discrimination in Employment Act (“ADEA”). In essence, it is Stout’s contention that Ford failed to fully comply with the Older Workers Benefit Protection Act (“OWBPA”), 29 U.S.C. § 626(f)(1)(H), in that his former employer failed to furnish him with an informational listing as required by this statute.

On November 13, 2006, Ford filed a motion in an effort to obtain the dismissal of this lawsuit, citing Stout’s failure to state a claim in his Complaint. Fed.R.Civ.P. 12(b)(6). According to Ford, it fully complied with the spirit as well as all of the requisite requirements of the OWBPA. Moreover, Ford points out that Stout, having knowingly and willingly waived his right to bring forth the claims in this lawsuit, accepted all of the financial benefits that were due to him under this statute.

For the reasons that were set forth on the record during the hearing on February 1, 2007, the Court concludes that Ford’s motion to dismiss must be, and is, granted.

IT IS SO ORDERED.

Dated: February 16, 2007
Detroit, Michigan

s/ Julian Abele Cook, Jr.
JULIAN ABELE COOK, JR.

Certificate of Service

I hereby certify that on February 16, 2007, I electronically filed the foregoing with the Clerk of the Court using the ECF system, and I further certify that I mailed a copy to the non-ECF participant(s).

s/ Kay Alford
Courtroom Deputy Clerk